

S.B. NO. 2733

JAN 25 2010

A BILL FOR AN ACT

RELATING TO RECREATIONAL RENAISSANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 171, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§171- Recreational renaissance special fund. (a)

5 There is established in the treasury of the State a special fund
6 to be known as the recreational renaissance special fund, which
7 shall be administered by the department. The following shall be
8 deposited into the recreational renaissance special fund:

9 (1) Appropriations by the legislature;

10 (2) Moneys from public or private sources, including but

11 not limited to grants, gifts, endowments, and

12 donations, dedicated to recreational areas and

13 facilities designated by the chairperson to be part of

14 the department's recreational renaissance program;

15 (3) Moneys derived from interest and dividends from moneys

16 in the special fund; and

17 (4) Proceeds from sales, rents from leases, licenses, and

18 permits, or other income from other sources generated

1 from recreational areas and facilities designated by
2 the chairperson to be part of the department's
3 recreational renaissance program.

4 (b) Notwithstanding any law to the contrary, the
5 department, through its chairperson, may also at the
6 chairperson's discretion deposit moneys into the recreational
7 renaissance special fund from the following special funds:

8 (1) The special land and development fund established
9 under section 171-19;

10 (2) The state parks special fund established under section
11 184-3.4; and

12 (3) The boating special fund established under section
13 248-8;

14 provided that expenditures of funds transferred shall be
15 consistent with the purposes of the special fund from which the
16 moneys were transferred.

17 (c) The department, through its chairperson, may also
18 deposit reimbursements of federal funds received as grants for
19 the construction, operation, and maintenance of public target
20 ranges under the Federal Aid in Wildlife Restoration Act (16
21 U.S.C. section 669 et seq.) into the recreational renaissance
22 special fund, provided that such funds are expended for the

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1 construction, operation, and maintenance of public target
2 ranges.

3 (d) For any projects under the recreational renaissance
4 program paid with state funds by the department that are
5 eligible for federal reimbursement, the federal reimbursement
6 funds may be deposited into the recreational renaissance special
7 fund, to be used for the purposes of the recreational
8 renaissance program of the department.

9 (e) The department may expend moneys from the recreational
10 renaissance special fund for the recreational renaissance
11 program related to:

12 (1) Information technology to support the recreational
13 renaissance program;

14 (2) Payment of principal and interest due on reimbursable
15 general obligation bonds, provided that:

16 (A) The amount of vessel slip fees collected by the
17 department that are allocated to pay debt service
18 on the reimbursable general obligation bonds
19 shall not exceed the amount of debt service
20 attributable to the improvements for navigable
21 water-based recreational facilities in the

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- 1 department's recreational renaissance program;
2 and
3 (B) The amount of park entry fees collected by the
4 department that are allocated to pay debt service
5 on the reimbursable general obligation bonds
6 shall not exceed the amount of debt service
7 attributable to the improvements for land-based
8 recreational facilities in the department's
9 recreational renaissance program;
10 (3) Planning, design, and construction including repairs,
11 replacement, additions, demolitions, entitlements,
12 mitigation, and extensions of new and existing
13 facilities, if necessary;
14 (4) Operation and maintenance costs of the recreational
15 renaissance program of the department; and
16 (5) Land acquisition and related costs."

17 SECTION 2. For any projects paid with state funds by the
18 department of land and natural resources pursuant to Act 118,
19 Session Laws of Hawaii 2006, as amended by Act 89, Session Laws
20 of Hawaii 2007, as amended by Act 94, Session Laws of Hawaii
21 2008, that are eligible for federal reimbursement, the federal
22 reimbursement funds shall be deposited into the recreational

1 renaissance special fund established by this Act, to be used for
2 the purposes of the recreational renaissance program of the
3 department of land and natural resources.

4 SECTION 3. The recreational renaissance program for
5 navigable water-based facilities and areas (department of land
6 and natural resources-managed boating and ocean recreation
7 facilities, infrastructure, and other navigable water-based
8 recreational facilities, infrastructure, and sites) may include
9 the following improvements: boat ramps, including widening; boat
10 wash-down areas; comfort stations; pavilions; offices; piers;
11 docks; infrastructure improvements (roads, parking lots, water
12 systems, sewer systems, drainage systems, electrical, telephone,
13 lighting, signage, fencing, landscaping, irrigation systems,
14 etc.); breakwater or revetment improvements; dredging; sand by-
15 passing; environmental restoration or mitigation channel
16 markers, mooring and demarcation buoys; ocean recreational
17 facilities; environmental restoration or mitigation; dry dock
18 areas; public safety, security, and enforcement capacity; and
19 other improvements.

20 SECTION 4. The recreational renaissance program for land-
21 based facilities and areas (department of land and natural
22 resources-managed state parks, park reserves, forest reserves,

1 sanctuaries, and other land-based recreational facilities,
2 infrastructure, and sites) may include the following
3 improvements: comfort stations; pavilions; cabins; camping
4 areas; picnic areas; visitor, educational, or ranger station
5 centers; concession facilities; caretaker residences; palace
6 facilities; memorial areas; shoreline stabilization; flood and
7 rockfall mitigation; heiau, fishpond, and rock wall.
8 restorations; protective measures at cultural and archaeological
9 sites; dredging; infrastructure improvements (roads, parking
10 lots, bridges, water systems, sewer systems, composting toilets,
11 drainage systems, electrical, telephone, lighting, signage,
12 fencing, gates, landscaping, irrigation systems, etc.);
13 informational or interpretive signage and display devices;
14 climate control systems; lookouts or viewing areas; new trails
15 and trail restorations; boardwalks; shooting ranges; off-highway
16 vehicle trails; marina facilities; pier improvements; waterbird
17 sanctuaries and wetland restoration; master plans and
18 environmental assessments; land acquisition; asset management
19 plan; entry and parking control stations; environmental
20 restoration or mitigation; public safety, security, and
21 enforcement capacity; and other improvements.

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1 SECTION 5. There is appropriated out of the recreational
2 renaissance special fund the sum of \$1,500,000, or so much
3 thereof as may be necessary, for fiscal year 2010-2011 for the
4 purposes of the recreational renaissance program.

5 The sum appropriated shall be expended by the department of
6 land and natural resources for the purposes of this Act.

7 SECTION 6. New statutory material is underscored.

8 SECTION 7. This Act shall take effect upon its approval.

9
10 INTRODUCED BY: _____

11 BY REQUEST

Report Title:

Recreational Renaissance; Special Fund

Description:

Establishes the Recreational Renaissance Special Fund to fund improvements and activities related to the Recreational Renaissance Program of the Department of Land and Natural Resources.

JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO RECREATIONAL RENAISSANCE.

PURPOSE: To establish the Recreational Renaissance Special Fund to fund improvements and activities related to the Recreational Renaissance Program of the Department.

MEANS: Add a new section to chapter 171, Hawaii Revised Statutes.

JUSTIFICATION: The economic downturn and subsequent budget reductions have detrimentally affected the capital improvement programs and operations of various divisions in the Department, jeopardizing much-needed improvements and repairs to existing facilities. Beautification and enhancement of facilities have been in abeyance as mandated improvements, such as Americans With Disabilities Act compliance, removal of large capacity cesspools, and public safety actions such as rockfall removal and repair of vandalized facilities, have consumed available funds. Financially challenged, the Department believes establishing a Recreational Renaissance Special Fund will alleviate its budget shortfall and provide the catalyst in future revenue enhancement to support the elevation of our land and ocean recreational facilities into world class experiences for our residents and visitors. Provisions in the establishment of the Recreational Renaissance Special Fund identify sources of revenues and how moneys collected may be expended. Moneys collected will be expended to benefit various recreational facilities ultimately benefitting the public.

Impact on the public: Safer recreational facilities, ultimately, enhanced recreational facilities.

Impact on the department and other agencies: Provides a depository for various sources of funding to be used toward the Department's Recreational Renaissance Program.

GENERAL FUND:

None.

OTHER FUNDS:

\$1,500,000 in special funds for Fiscal Year 2010-2011.

PPBS PROGRAM

DESIGNATION:

LNR 101, LNR 801, LNR 804, LNR 806, LNR 906.

OTHER AFFECTED

AGENCIES:

Department of Budget and Finance.

EFFECTIVE DATE:

Upon approval.